

Form 668 (Y) (c)
(Rev. August 1997)

499

Department of the Treasury - Internal Revenue Service

Notice of Federal Tax Lien

District PENNSYLVANIA	Serial Number 239841790	For Optional Use by Recording Office
------------------------------	--------------------------------	--------------------------------------

As provided by sections 6321, 6322, and 6323 of the Internal Revenue Code, we are giving a notice that taxes (including interest and penalties) have been assessed against the following-named taxpayer. We have made a demand for payment of this liability, but it remains unpaid. Therefore, there is a lien in favor of the United States on all property and rights to property belonging to this taxpayer for the amount of these taxes, and additional penalties, interest, and costs that may accrue.

Name of Taxpayer ROBERT GAVETT

Residence 1115 CYPRESS COURT
BREINIGVILLE, PA 18031-1611

IMPORTANT RELEASE INFORMATION: For each assessment listed below, unless notice of lien is refiled by the date given in column (e), this notice shall, on the day following such date, operate as a certificate of release as defined in IRC 6325(a).

Kind of Tax (a)	Tax Period Ended (b)	Identifying Number (c)	Date of Assessment (d)	Last Day for Refiling (e)	Unpaid Balance of Assessment (f)
1040	12/31/1980	144-26-3784	03/14/1994	04/13/2004	16520.45
1040	12/31/1981	144-26-3784	03/14/1994	04/13/2004	27435.77
1040	12/31/1982	144-26-3784	03/14/1994	04/13/2004	32280.17
1040	12/31/1983	144-26-3784	03/14/1994	04/13/2004	28431.58
1040	12/31/1984	144-26-3784	03/14/1994	04/13/2004	17571.29
1040	12/31/1985	144-26-3784	03/14/1994	04/13/2004	28247.31
1040	12/31/1986	144-26-3784	03/14/1994	04/13/2004	14815.18
1040	12/31/1987	144-26-3784	03/14/1994	04/13/2004	33544.80

due \$930

Place of Filing

Prothonotary
Lehigh County
Allentown, PA 18105

Total \$ 198846.65

This notice was prepared and signed at Pittsburgh, PA

the 23rd day of March 1998

GOVERNMENT EXHIBIT

Signature

for P. BACILOVICH

Title

Revenue Officer 23-01-2820

(NOTE: Certificate of officer authorized by law to take acknowledgments is not essential to the validity of Notice of Federal Tax Lien Rev. Rul. 71-466, 1971-2 CB, 409)

Form 668 (Y) (c)
(Rev. August 1997)

499

Department of the Treasury - Internal Revenue Service

Notice of Federal Tax Lien

G 8-F-176

District
PENNSYLVANIA

Serial Number

239847425

For Optional Use by Recording Office

As provided by sections 6321, 6322, and 6323 of the Internal Revenue Code, we are giving a notice that taxes (including interest and penalties) have been assessed against the following-named taxpayer. We have made a demand for payment of this liability, but it remains unpaid. Therefore, there is a lien in favor of the United States on all property and rights to property belonging to this taxpayer for the amount of these taxes, and additional penalties, interest, and costs that may accrue.

Name of Taxpayer ROBERT GAVETT
A/K/A CHRISTIAN MANAGEMENT COMPANY

Residence 1115 CYPRESS COURT
BREININGVILLE, PA 18031

IMPORTANT RELEASE INFORMATION: For each assessment listed below, unless notice of lien is refiled by the date given in column (e), this notice shall, on the day following such date, operate as a certificate of release as defined in IRC 6325(a).

Kind of Tax (a)	Tax Period Ended (b)	Identifying Number (c)	Date of Assessment (d)	Last Day for Refiling (e)	Unpaid Balance of Assessment (f)
1040	12/31/1980	144-26-3784	03/14/1994	04/13/2004	16534.95
1040	12/31/1981	144-26-3784	03/14/1994	04/13/2004	27435.77
1040	12/31/1982	144-26-3784	03/14/1994	04/13/2004	32280.17
1040	12/31/1983	144-26-3784	03/14/1994	04/13/2004	28431.58
1040	12/31/1984	144-26-3784	03/14/1994	04/13/2004	17571.29
1040	12/31/1985	144-26-3784	03/14/1994	04/13/2004	28247.31
1040	12/31/1986	144-26-3784	03/14/1994	04/13/2004	14815.18
1040	12/31/1987	144-26-3784	03/14/1994	04/13/2004	33544.80

Place of Filing

Prothonotary
Lehigh County
Allentown, PA 18105

Total

\$ 198861.05

This notice was prepared and signed at Pittsburgh, PA

the 18th day of August 1998

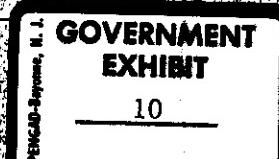
Signature

For P. BACEL *Patricia Bacel*

Title

Revenue Officer 23-01-2820

(NOTE: Certificate of officer authorized by law to take acknowledgments is not essential to the validity of Notice of Federal Tax Lien Rev. Rul. 71-466, 1971-2 C.B. 409)



SOLD TO: ROBERT C. & ROSEMARIE GAVETT STANNARD BELIE MECH U.S. ZIP
 BUYER(S) FIRE CHIEF T.V. 1144-7631117

SELLER: SAFFU HOME IMPROVEMENTS

DATE OF THIS TRANSACTION: 7-30-89

DATE OF CLOSING ON OR BEFORE 10/28/89

The seller hereby agrees to sell and the undersigned Buyer(s) (if more than one, jointly and severally) hereby agree(s) to purchase subject to the terms and conditions hereinafter set forth, the following Property (which, together with any and all replacements thereof and additions thereto, is herein called the "Property"), VIZ:

MAKE	MODEL	BEDROOMS	BATHS	LENGTH	WIDTH
Canary	2006	3 BR	2	56	24
SERIAL NO.	LOT NO.	X NEW	USED	COLOR	GRADE
SN0045548	161				

The following items of equipment, labor, or accessories are included in the Basic Price of the Unit:

ACROSS ONLY 1/25 PAID ON PRICE
161.

COMPUTATION OF PURCHASE PRICE:

BASIC PRICE OF UNIT	\$ <u>60,471.00</u>
EXTRA-EQUIPMENT DISCOUNT	\$ <u>4731.00</u>
SUBTOTAL	\$ <u>55,610.00</u>
6% STATE SALES TAX:	\$ <u>3341.34</u>
FEES AND NON-TAXABLE ITEMS	\$ <u>15.00</u>
TOTAL CASH PRICE	\$ 58,945.34

TRADE-IN NET ALLOWANCE \$ _____

CASH DOWN PAYMENT \$ _____

TOTAL CREDITS \$ 57,045.26

UNPAID BALANCE OF CASH PRICE \$ _____

THE UNPAID BALANCE OF CASH PRICE DUE AS FOLLOWS:

DATE EVENT	AMOUNT DUE:
	\$ _____
	\$ _____
	\$ _____
	\$ _____

UPON CLOSING

SELLER ACKNOWLEDGES RECEIPTS:

DATE:	AMOUNT:	BY:
7-30-89	\$ <u>5904.53</u>	<u>DUCC</u>
8-8-89	\$ <u>53100.00</u>	<u>DUCC</u>
	\$ _____	_____
	\$ _____	_____
	\$ _____	_____

EXTRA ITEMS: FREE COOKER & DRYER

OTHER REMARKS: OVER HOUSE DISCOUNT 4731.00

This Contract includes any previous agreements, written or otherwise, between the Seller and Buyer.

THIS DEPOSIT IS NON-REFUNDABLE

SUBJECT TO BUYER SIGNING MANUFACTURER'S STATEMENT OF WARRANTY

GOVERNMENT EXHIBIT

11

OTHER REMEDIES: It is mutually agreed that the TOTAL CASH PRICE is due and payable before the SELLER gives possession of the Property to the BUYER. The property conveyed by this agreement shall remain the property of the SELLER until paid for in full by the BUYER(S). Should the BUYER(S) decide to take possession before the Property is completed by the SELLER, the BUYER agrees to remit the purchase price in full and the SELLER agrees to complete the improvements in a reasonable time. If BUYER fails to perform this contract within the time specified, time being of the essence of this Agreement, all deposits paid by BUYER shall be retained by or for the account of SELLER as consideration for the execution of this Agreement and in full settlement of any claim for damages; or SELLER, by giving written notice to BUYER within ten (10) days from date of default, may elect to enforce any remedy available to SELLER because of BUYER'S default.

SIGNATURE OF SELLER:

BY Robert A. Canary, Inc., Inc.
Robert A. Canary TITLE _____

SIGNATURE OF BUYER(S)

X Robert A. Canary (SEAL)
X _____ (SEAL)
X _____ (SEAL)

This certificate certifies that this is a true and accurate copy of the death record on file with the Division of Vital Records, and that I, Charles Hardester, am and was at the time of the issuance of this copy Director, Division of Vital Records of the Department of Health for the Commonwealth of Pennsylvania, duly appointed and commissioned as directed by Act 66 of the General Assembly, approved 29 June 1953, P.L. 304.

Charles Hardester

MAY 14 1998

Date Issued

Director

H106.145 Rev 2/87

121927

TYPE/PRINT
IN
PERMANENT
BLACK INK

COMMONWEALTH OF PENNSYLVANIA • DEPARTMENT OF HEALTH • VITAL RECORDS CERTIFICATE OF DEATH													
STATE FILE NUMBER											DATE OF DEATH (Month Day Year)		
NAME OF DECEDENT (First, Middle, Last) ROSE MARIE GAVETT											SEX Female	SOCIAL SECURITY NUMBER — NO —	4. December 14, 1995
AGE (Last Birthday)	UNDER 1 YEAR	UNDER 1 DAY	MONTH	DAY	YEAR	DATE OF BIRTH (Month, Day, Year) Sept. 9, 1934	BIRTHPLACE (City and State or Foreign Country) Somerville, NJ	PLACE OF DEATH (Check only one -- see instructions on other side)					
61 yrs.								HOSPITAL <input checked="" type="checkbox"/> Inpatient <input type="checkbox"/> Ambulance <input type="checkbox"/> Other	ENVIRONMENT <input type="checkbox"/> Work <input type="checkbox"/> Home <input type="checkbox"/> Residence <input type="checkbox"/> Other	DOA <input type="checkbox"/>			
COUNTY OF DEATH Lehigh		CITY, BORO, TWP. OF DEATH Salisbury Twp.		FACULTY NAME (If not institution, give street and number) Lehigh Valley Hospital				WAS DECEDENT OF HISPANIC ORIGIN? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> If yes, specify Cuban, Mexican, Puerto Rican, etc. White	RACE: American Indian, Black, White, etc White				
DECEDENT'S USUAL OCCUPATION (Occupation at time of reporting death, do not use birthplace)		KIND OF BUSINESS/INDUSTRY Restaurant Industry		WAS DECEDENT EVER IN U.S. ARMED FORCES? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		DECEDENT'S EDUCATION Elementary/Secondary (10-12) 14		MARITAL STATUS: Married Never Married, Widowed, Divorced (Specify)	SURVIVING SPOUSE (Name, give maiden name) Robert L. Gavett				
DECEDENT'S MAILING ADDRESS (Street, City/Town, State, Zip Code) 1115 Cypress Court Breinigsville, PA 18031		DECEDENT'S ACTUAL RESIDENCE (See instructions on other side)		17a. STATE Pennsylvania		17b. CITY/TOWN Lehigh		17c. No. decedent lived in Upper Macungie	17d. No. decedent lived in Upper Macungie				
FATHER'S NAME (First, Middle, Last) Alfred F. W. Sferra		MOTHER'S NAME (First, Middle, Maiden, Surname) Theresa Lanna		INFORMANT'S NAME (Type/Print) Robert L. Gavett		INFORMANT'S MAILING ADDRESS (Street, City/Town, State, Zip Code) 1115 Cypress Court, Breinigsville, PA 18031		PLACE OF DISPOSITION - Name of Cemetery, Crematory or Other Place St. Joseph's Cemetery		LOCATION - City/Town, State, Zip Code Bridgewater, NJ			
METHOD OF DISPOSITION <input type="checkbox"/> Burial <input checked="" type="checkbox"/> Cremation <input type="checkbox"/> Removed from State <input type="checkbox"/>		DATE OF DISPOSITION (Month, Day, Year) December 18, 1995		21a. LICENSE NUMBER 610325-L		21b. NAME AND ADDRESS OF FACILITY Trexler Funeral Home, Inc. 1625 Highland St., Allentown, PA 18102		21c. DATE ISSUED (Month, Day, Year) 12/17/95					
SIGNATURE OF FUNERAL SERVICE LICENSEE OR PERSON ACTING AS SUCH Michael F. Zimmler		22a. To the best of my knowledge, death occurred at the time, date and place stated (Signature and Date)		22b.		22c.		22d.					
Complete items 23a-26 only when certified physician is not available at time of death to certify cause of death		23a.		23b.		23c.		23d.					
Items 24-26 must be completed by person who pronounced death		24. TIME OF DEATH 4:19 EST P.M.		25. DATE PRONOUNCED DEAD (Month, Day, Year) December 14, 1995		26. WAS CASE REFERRED TO MEDICAL EXAMINER/CORONER? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		27. APPROXIMATE INTERVAL BETWEEN DEATH AND DEATH CERTIFICATION 10 yrs		28. PART II: Other significant conditions contributing to death, but not resulting in the underlying cause given in PART I tropon			
27. PART I: Enter the diseases, injuries or complications which caused the death. Do not enter the mode of dying, such as cardiac or respiratory arrest, shock or heat stroke. Let only one cause on each line.													
IMMEDIATE CAUSE (First disease or condition resulting in death) — End Stage Renal Disease		29a. DUE TO (OR AS A CONSEQUENCE OF) Diseases Mellitus		29b. DUE TO (OR AS A CONSEQUENCE OF) Diabetes Mellitus		29c. DUE TO (OR AS A CONSEQUENCE OF) Diabetes Mellitus		29d. DUE TO (OR AS A CONSEQUENCE OF) Diabetes Mellitus					
SECONDARY (If any, leading to immediate cause. Enter UNDERLYING CAUSE (Disease or injury that initiated events resulting in death) LAST)													
31a. WAS AN AUTOPSY PERFORMED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		31b. WERE AUTOPSY FINDINGS AVAILABLE PRIOR TO COMPLETION OF CAUSE OF DEATH? <input type="checkbox"/> Natural <input checked="" type="checkbox"/> Homicide <input type="checkbox"/> Accident <input type="checkbox"/> Pending investigation <input type="checkbox"/> Suicide <input type="checkbox"/> Could not be determined		31c. MANNER OF DEATH		31d. DATE OF INJURY (Month, Day, Year) 200		31e. TIME OF INJURY 200		31f. INJURY AT WORK? <input type="checkbox"/> Yes <input type="checkbox"/> No		31g. DESCRIBE HOW INJURY OCCURRED tropon	
31h. LOCATION (Street/City/Town/State) 300													
31i. CERTIFIER (Check only one) *CERTIFYING PHYSICIAN (Physician certifying cause of death when another physician has pronounced death and completed item 23) To the best of my knowledge, death occurred due to the cause(s) and manner as stated:						31j. SIGNATURE AND TITLE OF CERTIFIER John J. Wolf							
31k. PRONOUNCING AND CERTIFYING PHYSICIAN (Physician both pronouncing death and certifying to cause of death) To the best of my knowledge, death occurred due to the cause(s) and manner as stated:						31l. LICENSE NUMBER MD009065F		31m. DATE ISSUED (Month, Day, Year) 12/17/95					
31n. MEDICAL EXAMINER/CORONER On the basis of examination and/or investigation, in my opinion, death occurred at the time, date, and place, and due to the cause(s) and manner as stated:						31o. NAME AND ADDRESS OF PERSON WHO COMPLETED CAUSE OF DEATH 1210 S. Cedar Crest Blvd. Suite #1200 Allentown, PA 18103-6208							
31p. REGISTRAR'S SIGNATURE AND NUMBER Jerry Wolf		31q. DATE FILED (Month, Day, Year) 12-18-95											



Rosemarie GAVETT

NAME OF DECEDENT
(Leave blank if death certificate is used)

CERTIFIED
(Leave blank if death certificate is used)

COMMONWEALTH OF PENNSYLVANIA**DEPARTMENT OF TRANSPORTATION
CERTIFICATE OF TITLE FOR A VEHICLE 7,812***Issued in accordance with Section 1105 of the Vehicle Code, Title 75, Pennsylvania Consolidated Statutes***892710061002260-001**

**CHRISTIAN MANAGEMENT
COMPANY
STEINMETZ ROAD
BELL MEADE NJ 08502**

CODE LEGEND

- A - ANTIQUE VEHICLE
- C - CLASSIC VEHICLE
- F - OUT OF STATE VEHICLE
- H - AGRICULTURAL VEHICLE
- L - LOGGING VEHICLE
- P - FORMERLY A POLICE VEHICLE
- R - RECONSTRUCTED VEHICLE
- X - FORMERLY A TAXI

REGISTRATION NOT TO BE ISSUED-MOBILE HOME

42331442001	CH	0	89	COLONY	MH		
TITLE NUMBER		DUPL	YEAR	MAKE OF VEHICLE	TYPE	SEAT CAP	STATE OF ORIGIN
SN00455AB				MAX. GROSS VEHICLE WEIGHT	MAX. GROSS COMB. WEIGHT		
VEHICLE IDENTIFICATION NUMBER							
UNLADEN WEIGHT	10/11/89	DATE ISSUED	10/11/89	DATE PA TITLED	ODOMETER AT PURCHASE	CODES	

*The vehicle described hereon is subject to the following liens:***FIRST LIEN FAVOR OF:****LIEN RELEASED***DATE***LIEN HOLDER****BY***AUTHORIZED REPRESENTATIVE***SECOND LIEN FAVOR OF:****LIEN RELEASED***DATE***LIEN HOLDER****BY***AUTHORIZED REPRESENTATIVE*

I certify that reasonable diligence has been used in examining the statements presented in the application for Certificate of Title to the vehicle described hereon, and that the proof of ownership of said vehicle presented with said application warrants the issuance of this certificate naming the applicant as lawful owner of said vehicle. Wherefore, I certify that as of the date inscribed hereon, the official records of the Pennsylvania Department of Transportation reflect that said applicant is the lawful owner of said vehicle.



 A circular official seal or stamp is partially visible behind the signature. The name "HOWARD YERUSALIM" is written across the center of the seal in a stylized, cursive font.
Secretary of Transportation

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)

Plaintiff,)

) Case No. 02-CV-3698

ROBERT L. GAVETT)

1115 Cypress Court)

Breinigsville, PA 18031)

Defendant.)

NOTICE OF DEPOSITION

TO: Robert Gavett
c/o General Delivery At
205 Roosevelt Drive
Cherry Hill, NJ 08002-1140

PLEASE TAKE NOTICE that the Internal Revenue Service, by its counsel, will take the deposition of Robert L. Gavett on **Tuesday, December 30, 2003**, at the office of Area Counsel, Internal Revenue Service, Mellon Independence Center, 701 Market Street, Suite 2200, Philadelphia, Pennsylvania 19106, upon oral examination, pursuant to the Federal Rules of Civil Procedure. Robert L. Gavett deposition will begin at **10:30 a.m.**



The foregoing deposition will be taken before some disinterested person authorized by law to administer an oath. If the deposition or examination is not commenced, or is commenced but not completed, then such deposition or examination shall be adjourned and continued until complete, without further notice other than proclamation at the place above stated.

Dated: December 11, 2003.

Pat Genis
PAT S. GENIS
Trial Attorney, Tax Division
U.S. Department of Justice
P.O. Box 227
Washington, D.C. 20044
Telephone: (202) 307-6390

OF COUNSEL:

PATRICK L. MEEHAN
United States Attorney

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF
PENNSYLVANIA

COPY

6 UNITED STATES OF AMERICA, : Case No. 02-CV-3698
7 Plaintiff :
8 vs. :
9 ROBERT L. GAVETT, :
10 Defendant :

PHILADELPHIA, PENNSYLVANIA
TUESDAY, DECEMBER 30, 2003

Scheduled deposition of ROBERT L. GAVETT,
held at the office of Area Counsel, Internal Revenue
Service, Mellon Independence Center, 701 Market
Street, commencing at 10:30 a.m., on the above
date, before Brenda J. Cappiello, Court Reporter
and Notary Public.

COURT REPORTING ASSOCIATES
1422 CHESTNUT STREET
SUITE 512
PHILADELPHIA, PA 19102
(215) 564-0466



1 APPEARANCE:

2

3 UNITED STATES DEPARTMENT OF JUSTICE, TAX DIVISION

4 BY: PAT S. GENIS, ESQUIRE

5 P.O. Box 227

6 Ben Franklin Station

7 Washington, DC 20044

8 (202) 307-6390

9 Representing the Plaintiff

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

1

E X H I B I T S

2

<u>Number</u>	<u>Description</u>	<u>Page</u>
GAVETT-1	Notice of Deposition and Certificate of Service, 3 pages	05

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

1 MS. GENIS: My name is Pat
2 Genis, I'm a trial attorney with the
3 Department of Justice in this case,
4 United States versus Robert L. Gavett,
5 Case No 02-3698.

6 For the record, the United States
7 has sent a notice of deposition to Mr.
8 Gavett at his last known address, care of
9 General Delivery at 205 Roosevelt Drive,
10 Cherry Hill, New Jersey 08002-1140,
11 asking him to appear on December 30, 2003
12 at the office of Area Counsel, Internal
13 Revenue Service, Mellon Independence
14 Center, 701 Market Street, suite 2200,
15 Philadelphia, Pennsylvania. Deposition
16 to begin at 10:30 a.m.

17 It is now 10:30 a.m. and Mr. Gavett
18 has not yet appeared. We will go off the
19 record and return in 20 minutes.

20 - - -

21 (A brief intermission was taken.)

22 - - -

23 MS. GENIS: This is Pat Genis
24 in the case of United States versus

1 Robert L. Gavett 02-3698. Mr. Robert L.
2 Gavett was duly noted to come to have his
3 deposition taken on today, December 30,
4 2003 at 10:30 a.m. It is now 10:55, Mr.
5 Gavett has not appeared.

6 The deposition is concluded
7 for today. Attached to the deposition is
8 the notice, as an exhibit is, a Notice of
9 Deposition and the Certificate of Service.
10 Thank you.

11 - - -

12 (Deposition concluded.)

13 - - -

14 (Exhibit Gavett-1 was marked
15 for identification.)

16 - - -

17
18
19
20
21
22
23
24

C E R T I F I C A T I O N

I HEREBY CERTIFY that the proceedings and evidence are contained fully and accurately in the stenographic notes taken by me upon the foregoing matter and that this is a correct transcript of same.

Brenda Cappiello

BRENDA J. CAPPIELLO

COURT REPORTER

LAWYERS NOTES

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)
)
Plaintiff,)
) Case No. 02-CV-3698
)
ROBERT L. GAVETT)
1115 Cypress Court)
Breinigsville, PA 18031)
)
Defendant.)

**UNITED STATES OF AMERICA'S MOTION TO COMPEL
DEFENDANT ROBERT L. GAVETT TO ATTEND DEPOSITION**

The United States of America, through its attorneys, moves to compel the defendant to submit to a deposition examination under Fed. R. Civ. 30 . The defendant was served a notice of deposition on December 11, 2003.

In support of its motion, the Government avers that the defendant was served with a notice of deposition on December 11, 2003 under Fed. R. Civ. P. 30. (Ex. 1, attached.) The notice of deposition stated that the deposition would be held on December 30, 2003 at 10:30 a.m. The defendant failed to attend the deposition. A copy of the transcript is attached as Ex. 2.



The Government now moves to compel the defendant to attend a scheduled deposition to proceed with the discovery process.

Dated: March 9, 2004.

Respectfully submitted,

PATRICK L. MEEHAN
United States Attorney



PAT S. GENIS
Trial Attorney, Tax Division
U.S. Department of Justice
P.O. Box 227
Washington, D.C. 20044
Telephone: (202) 307-6390

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)

Plaintiff,)

) Case No. 02-CV-3698

ROBERT L. GAVETT)

1115 Cypress Court)

Breinigsville, PA 18031)

Defendant.)

NOTICE OF DEPOSITION

TO: Robert Gavett
c/o General Delivery At
205 Roosevelt Drive
Cherry Hill, NJ 08002-1140

PLEASE TAKE NOTICE that the Internal Revenue Service, by its counsel, will take the deposition of Robert L. Gavett on **Tuesday, December 30, 2003**, at the office of Area Counsel, Internal Revenue Service, Mellon Independence Center, 701 Market Street, Suite 2200, Philadelphia, Pennsylvania 19106, upon oral examination, pursuant to the Federal Rules of Civil Procedure. Robert L. Gavett deposition will begin at **10:30 a.m.**



The foregoing deposition will be taken before some disinterested person authorized by law to administer an oath. If the deposition or examination is not commenced, or is commenced but not completed, then such deposition or examination shall be adjourned and continued until complete, without further notice other than proclamation at the place above stated.

Dated: December 11, 2003.

Pat Genis
PAT S. GENIS
Trial Attorney, Tax Division
U.S. Department of Justice
P.O. Box 227
Washington, D.C. 20044
Telephone: (202) 307-6390

OF COUNSEL:

PATRICK L. MEEHAN
United States Attorney

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF
PENNSYLVANIA

COPY

6 UNITED STATES OF AMERICA, : Case No. 02-CV-3698
7 Plaintiff :
8 vs. :
9 ROBERT L. GAVETT, :
10 Defendant :

13 PHILADELPHIA, PENNSYLVANIA
14 TUESDAY, DECEMBER 30, 2003

Scheduled deposition of ROBERT L. GAVETT,
held at the office of Area Counsel, Internal Revenue
Service, Mellon Independence Center, 701 Market
Street, commencing at 10:30 a.m., on the above
date, before Brenda J. Cappiello, Court Reporter
and Notary Public.



1 APPEARANCE:

2
3 UNITED STATES DEPARTMENT OF JUSTICE, TAX DIVISION

4 BY: PAT S. GENIS, ESQUIRE

5 P.O. Box 227

6 Ben Franklin Station

7 Washington, DC 20044

8 (202) 307-6390

9 Representing the Plaintiff

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

1

E X H I B I T S

2

<u>Number</u>	<u>Description</u>	<u>Page</u>
GAVETT-1	Notice of Deposition and Certificate of Service, 3 pages	05

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

1 MS. GENIS: My name is Pat
2 Genis, I'm a trial attorney with the
3 Department of Justice in this case,
4 United States versus Robert L. Gavett,
5 Case No 02-3698.

6 For the record, the United States
7 has sent a notice of deposition to Mr.
8 Gavett at his last known address, care of
9 General Delivery at 205 Roosevelt Drive,
10 Cherry Hill, New Jersey 08002-1140,
11 asking him to appear on December 30, 2003
12 at the office of Area Counsel, Internal
13 Revenue Service, Mellon Independence
14 Center, 701 Market Street, suite 2200,
15 Philadelphia, Pennsylvania. Deposition
16 to begin at 10:30 a.m.

17 It is now 10:30 a.m. and Mr. Gavett
18 has not yet appeared. We will go off the
19 record and return in 20 minutes.

20 - - -

21 (A brief intermission was taken.)

22 - - -

23 MS. GENIS: This is Pat Genis
24 in the case of United States versus

1 Robert L. Gavett 02-3698. Mr. Robert L.
2 Gavett was duly noted to come to have his
3 deposition taken on today, December 30,
4 2003 at 10:30 a.m. It is now 10:55, Mr.
5 Gavett has not appeared.

6 The deposition is concluded
7 for today. Attached to the deposition is
8 the notice, as an exhibit is, a Notice of
9 Deposition and the Certificate of Service.
10 Thank you.

11 - - -

12 (Deposition concluded.)

13 - - -

14 (Exhibit Gavett-1 was marked
15 for identification.)

16 - - -

17
18
19
20
21
22
23
24

C E R T I F I C A T I O N

I HEREBY CERTIFY that the proceedings and evidence are contained fully and accurately in the stenographic notes taken by me upon the foregoing matter and that this is a correct transcript of same.

Brenda Cappiello
BRENDA J. CAPPIELLO
COURT REPORTER

LAWYERS NOTES

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)
)
Plaintiff,)
) Case No. 02-CV-3698
)
ROBERT L. GAVETT)
1115 Cypress Court)
Breinigsville, PA 18031)
)
Defendant.)

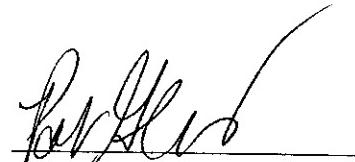
DECLARATION OF PAT S. GENIS

The undersigned hereby declares as follows:

1. My name is Pat S. Genis. I am a trial attorney with the Tax Division of the United States Department of Justice in Washington, D.C. In that position, I am responsible for representing the interests of the United States in the above-captioned case.
2. On December 11, 2003, the United States mailed by first-class postage paid to the defendant Robert L. Gavett a notice of deposition. The deposition was scheduled for December 30, 2003.
3. Defendant, Robert L. Gavett did not appear at the deposition on December 30, 2003.
4. As of this date, March 9, 2004, defendant Robert L. Gavett has failed to appear for a deposition as required by the Federal Rules of Civil Procedure, despite being served with a notice of deposition as described above.

I declare under penalty of perjury and pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Executed on March 9, 2003.



PAT S. GENIS

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)
)
Plaintiff,)
) Case No. 02-CV-3698
)
ROBERT L. GAVETT)
1115 Cypress Court)
Breinigsville, PA 18031)
)
Defendant.)

**ORDER GRANTING UNITED STATES OF AMERICA'S MOTION TO COMPEL
DEFENDANT ROBERT L. GAVETT TO ATTEND DEPOSITION**

Having considered the United States of America's MOTION TO COMPEL
DEFENDANT ROBERT L. GAVETT TO ATTEND DEPOSITION, any opposition and
reply thereto, and the entire record of this proceeding, it is by the Court

ORDERED that the motion is GRANTED; and it further

ORDERED that the defendant shall appear to be sworn and to testify by oral
deposition pursuant to Fed. R. Civ. P. 30 on a date and at such time and place to be
designated by the United States; and it is further

ORDERED that the Clerk shall distribute copies of this order to the persons listed
below.

SO ORDERED this _____ day of _____, 2004.

UNITED STATES DISTRICT JUDGE

Copies to:

Pat S. Genis
Trial Attorney, Tax Division
U.S. Department of Justice
Post Office Box 227
Ben Franklin Station
Washington, D.C. 20044

Robert Laurence Gavett
c/o General Delivery at
205 Roosevelt Drive
Cherry Hill, New Jersey 08002-1140

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

)

Plaintiff,

)

) Case No. 02-CV-3698

)

ROBERT L. GAVETT
1115 Cypress Court
Breinigsville, PA 18031

)

)

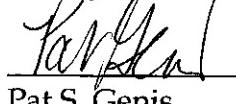
Defendant.

)

CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED that the foregoing UNITED STATES OF AMERICA'S
MOTION TO COMPEL DEFENDANT ROBERT L. GAVETT TO ATTEND
DEPOSITION, DECLARATION OF PAT S. GENIS and proposed ORDER was caused to
be served this 9th day of March, 2004, by depositing a true and correct copy thereof in
the United States mail, postage prepaid, addressed as follows:

Robert Gavett
c/o General Delivery At
205 Roosevelt Drive
Cherry Hill, NJ 08002-1140



Pat S. Genis